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Geopolitics and Maritime Security in the Indian Ocean; what role for the EU?

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Clingendael

Netherlands Institute of International Relations



The Hague Institute
for Global Justice

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Geopolitics and Maritime Security in the Indian Ocean

What Role for the European Union?

The European Union needs to pay close attention to the risks and the potential benefits of a greater engagement in maritime security in the Indian Ocean. Against the backdrop of a crowded, unstable and increasingly militarized maritime space, this Policy Brief provides an overview of the main aspects that future EU policy planning on maritime security in the Indian Ocean must address. It outlines important recent developments in the region and discusses their specific implications for the EU as a maritime actor: What exactly is the European Union currently doing in this field, what are its main interests, and how can the EU effectively protect them without antagonizing its traditional security partners or adding fuel to an already tense situation of maritime insecurity?

Introduction*

As geopolitical power shifts from the Atlantic to the Pacific, policy-makers in the European Union (EU) ought to pay closer attention to the vast maritime region that lies in between: the Indian Ocean. All major powers rely on the so-called Great Connector that stretches from the Cape of Good Hope to the Strait of Malacca. The rising economies of East Asia are acquiring more and more purchasing power and need to secure increasing energy needs. This affects the vital sea lines of

communication (SLOCs) in the Indian Ocean, especially those along the strategic choke points in the Strait of Hormuz and the Strait of Bab-el-Mandeb. These are becoming increasingly packed with cargo ships, oil tankers and patrolling navy vessels.

Actors such as the EU and its member states, China, India, the United States, Japan and Australia are steadily increasing their naval presence and their military capabilities in the Indian Ocean and in various strategic positions along its rim. Smaller naval powers such as Pakistan, Malaysia, Singapore and South Korea are also expanding their activities in the region. The absence of a comprehensive multilateral agreement on maritime security in the Indian Ocean makes this force projection dynamic highly problematic. It bears the trademarks of a classical security dilemma. Many actors

* This is a joint policy brief of The Hague Institute for Global Justice and the Clingendael Institute. The authors are grateful for the helpful comments of Barend ter Haar, Micha'el Tanchum, Bibi van Ginkel, Joris Larik and Richard Ponzio on draft versions of this paper.



harbour suspicions about the others' ulterior motives and quietly mobilize for rougher times.

Moreover, many countries in this region are politically unstable. This has given rise to non-conventional security challenges in the Indian Ocean such as piracy, human and drug trafficking, as well as maritime terrorism. The precarious security situation along the Horn of Africa is particularly noteworthy in this regard. Violent insurgencies are commonplace and threaten the political stability of the entire region. The World Food Program (WFP) recently reported 'over 400,000 internally displaced persons and war-affected individuals in Yemen's northern region' (WFP, 2013: 152) alone. As the sources of insecurity for ordinary citizens are so profound, some people have

turned to the adjacent high seas to secure an illicit income through piracy. The European Union and many other maritime actors have responded to this challenge and managed to contain the risk of piracy quite effectively. Still, the threat is by no means extinguished and other non-conventional security threats, such as maritime terrorism and the trafficking of goods and people, merit the continuing engagement by the EU and other international actors.

Sources of Insecurity in the Indian Ocean

There are currently two main sources of insecurity in the Indian Ocean. The first is instability in some of the littoral and

hinterland states around the Indian Ocean (Potgieter 2012). This also relates to sea-based terrorist activities and maritime piracy. With regard to terrorism, prominent incidents include attacks by al-Qaeda on a US warship in 2000, and on a French tanker in 2002 (Winner, Schneider and Weldemichael, 2012: 107). In the field of maritime piracy, much attention has been drawn by piracy in the Malacca Straits (especially up to 2005) and Somali piracy in the Gulf of Aden and the Western Indian Ocean (since 2008 in particular; Van Ginkel and van der Putten, 2010). To a certain degree, both sea-based terrorism and maritime piracy threaten the security of international shipping in the Indian Ocean. Moreover, sea-based terrorism can also be aimed against targets on land. The '26/11' Mumbai attacks in 2008 are a dramatic illustration of this.

The other main source of insecurity relates to the rise of new naval powers in the Indian Ocean. While piracy and terrorism in the Indian Ocean are current issues, so-called Great Power rivalry is not yet an immediate security threat in the region. However, the potential effects of Great Power rivalry are more fundamental and reach further than acts of terrorism or piracy. In terms of this rivalry, two major issues stand out. The first is increasing maritime rivalry between India and China. Tensions between these two Asian powers have existed since the 1959 exile of the Dalai Lama to India, and the 1962 Sino-Indian border war. Moreover, China is a close security partner of Pakistan, which traditionally has a troubled relationship with India. Now that China and India are emerging as major powers, the Indian Ocean has become an additional area of potential tensions between the two. This is especially the case since 2009, when the Chinese navy started operations in the Indian Ocean in response to Somali piracy. For this purpose, China has so far maintained a continuous naval presence in the Gulf of Aden, on a rotating basis, with task forces consisting of two warships and one supply vessel. The warships carry Chinese special forces, which can provide onboard protection for commercial vessels. China has so far dispatched seventeen consecutive counter-piracy task forces to

the Gulf of Aden.¹ Meanwhile, the steady rise of India as an economic power provides it with a growing capacity to play a role in the maritime domain. The Indian navy commenced counter-piracy operations in the Gulf of Aden in 2008,² and is speeding up its modernization and expansion of its capabilities in the maritime domain. The recent Indian purchase of twelve P-81 anti-submarine warfare aircraft from the United States is illustrative of this (Tanchum, 2014).

The Chinese navy operates without bases in the region. Instead, Chinese navy ships are replenished through visits to various commercial ports around the western Indian Ocean. Logistical support at the local level is provided by Chinese companies (Kamerling and van der Putten, 2011b). Nonetheless, India seems concerned about the possibility of an increased Chinese naval presence in the future at sea and in places such as the Seychelles, which are often mentioned in international media as a potential location for a Chinese naval supply facility.³ Moreover, China has close diplomatic and economic ties with a large number of littoral states in East Africa, the Middle East, South Asia, and South-East Asia. China has sold arms to many of these nations, and has invested in port construction in countries such as Pakistan, Myanmar, Sri Lanka and Bangladesh. Chinese shipping firms and commercial port operators are highly active in and along the Indian Ocean, and Chinese fishing and offshore oil and gas activities in the region are also increasing. India's efforts to expand its navy and its ties with other littoral states are driven in part by the aim of keeping up with the growing Chinese presence in Indian Ocean. China's range of

1 See <http://english.peopledaily.com.cn/90783/8585823.html>.

2 See <http://indiannavy.nic.in/operations/anti-piracy-operations>.

3 See <http://www.washingtontimes.com/news/2013/jul/11/inside-china-chinese-navy-courts-seychelles/?page=all>. The Maldives have also been mentioned by some media as a potential host for a Chinese base; see <http://www.wantchinatimes.com/news-subclass-cnt.aspx?id=20140513000090&cid=1101>.



The EU's counterpiracy mission 'Operation Atalanta' off the coast of Somalia has been active since 2008. *Photo: European Union Naval Force.*

maritime activity extends even further west than the Indian Ocean. In 2011, a Chinese warship was present in the Mediterranean Sea to assist in the evacuation of Chinese citizens from Libya during its civil war. A Chinese state-owned company, Cosco, is currently engaged in container port management in Greece (Van der Putten, 2014), and in the eastern Mediterranean the Chinese navy is escorting ships engaged in the chemical disarmament of Syria, operating from Cyprus.

The Risk of Tensions Spilling Over from the Pacific Ocean

The second major instance of potential Great Power rivalry in the Indian Ocean relates to the risk of spillover effects from maritime tensions in the western Pacific Ocean, including the East and South China Seas (Sweijts 2010). Competition for regional leadership in East and South-East Asia between China and the United States is increasingly manifesting itself in maritime security issues. The zones of prime strategic importance of China and the United States overlap in the East and South China Seas. The United States maintains a significant military presence in Japan and South Korea, with which it has security alliances. This presence includes the Japan-based Seventh Fleet. Other US security allies and partners

in East and South-East Asia include the Philippines, Thailand,⁴ Singapore and Taiwan. The United States has also strengthened its security cooperation with Vietnam and Indonesia.

In recent years the United States has responded to China's rising influence by strengthening its military, diplomatic and economic efforts throughout the region. Closely intertwined with the Sino-US rivalry are security tensions between China and Japan. To an important degree, these revolve around conflicting territorial claims in the East China Sea, and Chinese naval activity close to Japanese territory. Given the role of the United States as Japan's ally and the heavy US military presence in Japan, the Sino-Japanese security relationship cannot be seen as separate from the Sino-US relationship. This high degree of interconnectedness relates also to the South China Sea. On the one hand, the supply lines of Japan and other US security partners are vulnerable to China's military influence in the South China Sea. On the other hand, China's own supply lines crossing the very same region are vulnerable to the military influence of the United States. In the South China Sea,

4 In May 2014, the United States responded to a military coup in Thailand by limiting cooperation with the Thai military.

the US is indirectly involved in a territorial dispute between its ally, the Philippines, and China.

Although the US navy recently began stationing warships in Singapore, there have been no major signs so far that the maritime tensions in the East and South China seas are spilling over into the Indian Ocean. Nevertheless, not only China but also the US and Japan have a naval presence in the Indian Ocean. For decades, the United States has been the leading naval power in this region, with a military presence in the Persian Gulf and on the small island of Diego Garcia. During the 1990s, the US strengthened its naval presence in the region by establishing the Bahrain-based Fifth Fleet, which comprises an aircraft carrier strike group and multiple other task forces. The United States also oversees several combined naval task forces in the Indian Ocean, in which allies and security partners of the US participate. In addition, the US also has a presence through the North Atlantic Treaty Organization (NATO). One of the Combined Maritime Taskforces (CTF151) and a NATO naval operation (Ocean Shield) are aimed at counter-piracy operations in the Gulf of Aden.

The current Japanese naval presence in the Indian Ocean dates from 2001, when the Japanese navy (known as the Japan Maritime Self-Defence Force or JMSDF) commenced missions in the Indian Ocean under Operation Enduring Freedom–Maritime Interdiction Operation, a part of the US-led war on terror (Yoshihara and Holmes, 2011: 20). Until 2010, the JMSDF sent tankers to supply ships of the US-led coalition forces engaged in Afghanistan, as well as warships to join in operations to interdict weapons and drugs. Since 2009, the Japanese navy has been engaged in counter-piracy operations in the Gulf of Aden. The following year, the Japanese military established a *de facto* base in Djibouti to support its counter-piracy activities (Kato, 2011), which are carried out by two destroyers and two P-3C maritime patrol aircraft.⁵

5 See http://www.mofa.go.jp/policy/piracy/ja_somalia.html.

Although the United States, China, India and Japan all have a continuous naval presence in the western Indian Ocean, at present it seems unlikely that there will be a major naval arms race in that maritime region. While the United States is firmly entrenched and India is the emerging regional power (India International Centre 2011), in the short term neither China nor Japan are likely to have major force projection capabilities west of the Malacca Straits. Japan's military is constitutionally bound to focus on the defence of its own territory. Should Japan change (or re-interpret) its constitution in order to allow for collective defence, it would likely remain dependent on the United States to protect its supply lines in the Indian Ocean. China, on the other hand, does not yet have the military capabilities to be a dominant naval power in the Indian Ocean. Moreover, as pointed out by Chinese scholar Chu Shulong, in this context it would be futile for China to attempt to make its maritime supply routes across the Indian Ocean invulnerable to a blockade by the US navy.⁶ Moreover, given China's long-standing policy of not establishing military bases abroad, it is possible that this will indeed remain the case in the Indian Ocean region in the near future. Still, China has major interests in the region, in particular its access to raw materials in the Middle East and Africa, and to markets there and in Europe. Beijing may therefore be expected to continue its present policy of building up strong diplomatic and economic influence throughout the Indian Ocean's littoral states. It is also likely that the Chinese military will continue to develop its regional presence in the sphere of non-traditional security. In the past two decades, China has participated in UN Peacekeeping Missions by sending non-combat troops. China recently upgraded its involvement in African peace operations by dispatching security forces tasked with protecting the UN mission's headquarters in Mali.

6 Presentation at the symposium on the EU as a maritime security actor in the Indian Ocean, organized by The Hague Institute, Clingendael and BICCS, The Hague, 15 April 2013.

Interests and Involvement of the EU

The main risk for the EU in the longer term is that potential Great Power rivalry affects the Indian Ocean region to such an extent that it (further) destabilizes regions in Africa and the Middle East, or that it leads to instability and increased tensions in the Mediterranean region. Unfortunately there is at present no effective mechanism for multilateral cooperation on maritime security in the Indian Ocean (Cordner 2011; Potgieter 2012). The UN Security Council – being dominated by the Great Powers – is unable to address the increase of Great Power rivalry in the western Pacific, and it is also unlikely to be able to deal with such rivalry in the Indian Ocean. The Indian Ocean Rim Association for Regional Cooperation (IOR-ARC) is aimed at economic rather than security cooperation, and is organizationally weak. The most relevant forum is currently the Indian Ocean Naval Symposium (IONS), which is an Indian initiative that brings together the naval chiefs of a large number of littoral countries (Cordner 2011). Extra-regional countries like China and Japan do not take part in this, despite their presence in the region. There also is an ad-hoc grouping of countries and actors that are involved in combating Somali piracy: the Contact Group on Piracy off the Coast of Somalia (CGPCS). However, a mechanism similar to the ASEAN Regional Forum (ARF; which is aimed at South-East and East Asia) – with annual meetings at the ministerial level that explicitly address maritime security issues and that involve both regional countries and extra-regional major powers – is lacking in the Indian Ocean.

The European Union and its member states are currently active with regard to maritime security in the Indian Ocean in a number of ways. The EU participates in counter-piracy efforts related to Somalia-based piracy. This includes not just the EU naval mission Atalanta (Larik, 2014), but also the EU's participation in the naval coordinating meetings in Bahrain (Shared Awareness and Deconfliction, or SHADE) and various other efforts to address Somali piracy. Moreover, EU member states cooperate with the United

States with regard to counter-terrorism and international missions in Afghanistan, through maintaining a naval presence under NATO as well as directly in cooperation with the US. France maintains naval bases in Djibouti and the United Arab Emirates. Seven EU member states (Bulgaria, Germany, Greece, Italy, Netherlands, Poland and Romania) are members of the UN Ad-Hoc Committee on the Indian Ocean, which was established in 1971 to prevent Great Power rivalry in the Indian Ocean in order to enhance peace and stability in the region.⁷ The ad-hoc committee's establishment followed on from the UN General Assembly's 1971 Declaration of the Indian Ocean as a Zone of Peace, which called upon the Great Powers to halt 'the further escalation and expansion of their military presence in the Indian Ocean'. It also called for the establishment of a 'system of universal collective security'.⁸ The ad-hoc committee is aimed at studying which measures may be taken to further the objectives of the Declaration of the Indian Ocean as a Zone of Peace. This committee still exists, although it currently appears to have made little progress since its establishment.⁹

The EU's main interests regarding maritime security in the Indian Ocean region include unhindered and safe passage of goods. As a major actor in global trade, the EU relies heavily on the SLOCs in the Indian Ocean. It has a tremendous interest in securing the trade routes for its exported or imported goods, in addition to which it also has an interest in protecting European fishing activities in the Indian Ocean. The non-conventional security challenges are an obvious threat to safe passage, but by no means the only one. Arguably, it is the absence of a comprehensive multilateral agreement on maritime security in the Indian Ocean that is potentially risky for business over the long run. It is therefore in the EU's

7 See <http://www.worldlii.org/int/other/UNGARsn/1972/89.pdf>.

8 See <http://www.worldlii.org/int/other/UNGARsn/1971/71.pdf>.

9 See <http://www.un.org/News/Press/docs/2005/gaio4.doc.htm>; and <http://www.un.org/documents/ga/res/34/a34res80.pdf>.

primary interest to focus its long-term planning on effective multi-level advocacy for a comprehensive multilateral agreement on maritime security in the Indian Ocean. All key stakeholders would need to come to an agreement on how to ensure maritime security collectively in the common space of the Indian Ocean. Rigorous, impartial monitoring could then help to overcome the basic security dilemma.

The EU also has a strong interest in stability and security in its immediate environment – the Mediterranean Sea, the Middle East and North Africa – which overlaps with the north-western part of the Indian Ocean region (see also Holslag 2013). The countries on the Indian Ocean's rim host 40 per cent of the world's population. Some of those countries are politically unstable, and poverty and inequality is widespread across the region. Over the past decade, the Indian Ocean has become a hotbed for illicit trade, piracy, illegal trafficking of people and drugs, as well as maritime terrorism. Multilateral cooperation to counter these non-conventional security threats has made progress in recent years. For example, the EU played a significant role in successful anti-piracy missions. Its commitment to countering piracy in the Horn of Africa, in particular, increased the EU's credibility as an important actor in maritime security in the Indian Ocean.¹⁰ The EU should maintain and intensify its current level of engagement. More importantly, it should start harnessing the experience of good cooperation between major stakeholders – including both regional states and countries such as China, India, the United States, Japan and Australia – in countering non-conventional security threats with more comprehensive security cooperation that would address inter-state collective security and equitable burden-sharing for its protection. A better understanding of the current and future ambitions of the key maritime players in the Indian Ocean is crucial in this regard.

10 On the EU's counter-piracy mission and potential for cooperation in this regard with China and other Asian actors, see Kamerling and van der Putten, 2011a and 2010; and Larik and Weiler, 2011.

Implications

For the EU, 2014 is a potentially decisive year to push forward its engagement with emerging naval actors and its priorities on the maritime security agenda. It adopted an EU Maritime Security Strategy (EMSS) to be further refined with a follow-up Action Plan by the Italian presidency in the second half of 2014.¹¹ Also, it currently chairs the CGPCS, and has become a member of the Council for Security Cooperation in the Asia Pacific (CSCAP), a track-II diplomacy forum that is intended for the exchange of ideas on security cooperation and governance in East Asia.

The European Union has to tread carefully when advancing collective maritime security in the increasingly securitized common space of the Indian Ocean. It has limited resources and must opt for smart policies that will not strain the defence budgets of its member states too much. Deploying further EU naval forces is costly and difficult to sell in times of austerity. Plus, it may also be counterproductive in overcoming the basic security dilemma. Working relentlessly with all partners for comprehensive international security cooperation appears, therefore, to be the far better alternative. Many actors in the Indian Ocean are publicly calling for an improved security dialogue but – thus far – this has not amounted to anything substantive in political practice. Naturally, the devil is in the detail, and maritime security in the Indian Ocean remains essentially contested among China, India and the United States. Some policy differences might be very difficult to overcome. In any event, it will take a substantial political and potentially financial commitment from all sides to put this vision into practice. Still, the EU has some leverage here as a major trading partner of China and major security partner of the United States. Also, because of its soft power approach with a focus on international law, the EU – compared with other maritime powers – may be the more acceptable partner for many countries in

11 *Bulletin Quotidien Europe* 11110, 28 June 2014; and European Commission, 2014.

the region to cooperate with and to take action in matters of shared concern. Exactly because many Asian actors do not see the EU as a strong (hard) security player, the EU has some room to manoeuvre in initiating a maritime security governance mechanism or framework that can mitigate the risk of the Indian Ocean being affected by Great Power tensions. It should not overplay its role however, and should work in close cooperation and coordination with regional countries.

The EU has a strong interest in promoting international law (such as UNCLOS) as the basis for maritime governance and ensuring that the maritime security agenda in the Indian Ocean is not solely determined by major powers such as China, India and the United States. In addition to working with these Great Powers, the EU should coordinate its position and lobbying efforts closely with the littoral states, including Australia. It should also explore possibilities to intensify its efforts through the Association of South-East Asian Nations (ASEAN), which is a key partner when it comes to preventing the spillover of geopolitical tensions in East Asia into the Indian Ocean region. Finally, the EU needs to master a delicate balancing act. How to protect its interests without antagonizing China or the United States? On the one hand, the EU might see a stronger commitment to maritime security in the Indian Ocean as a means to strengthen its transatlantic security relationship with the United States. The US pivot, or rebalance, towards Asia has underlined the need for Europe to take a greater responsibility for stability in its immediate surroundings, including the Mediterranean and western Indian Ocean littoral states. At the same time, the EU's interests do not necessarily always converge with those of the United States, and the EU benefits from taking a more independent position on security issues related to Asia. The European Union should therefore make sure that it takes the lead as a security partner in cooperating with naval newcomers that operate close to or in Europe's maritime backyard – that is, the Mediterranean and its approaches in the north-western Indian Ocean. This should be seen as an

opportunity in shaping security partnerships and moulding the experiences and lessons learnt that these actors take home with them.

Policy Recommendations for the European Union

- In its public **statements**, the EU should consistently express that it regards maritime security in the Indian Ocean region as a necessary precondition to the security of vital sea lanes of communication and to security and stability in its immediate environment: the Mediterranean Sea, the Middle East and North Africa. The EU should also make clear that it wants to play an active and long-term role as a contributor to maritime security in the Indian Ocean region, and that it regards the risk of emerging Great Power rivalry – particularly in combination with instability in the littoral states – as a fundamental threat to security in the Indian Ocean region.
- The **Action Plan** that will follow up the EU Maritime Security Strategy should be more outspoken on the international partners it wants to further engage with in maritime security. The focus in building partnerships should be on relevant littoral states and naval newcomers in the maritime areas of interest in the Indian Ocean and beyond. Creating synergies with the EU's Strategic Partnerships especially in Asia – in which maritime security is also highlighted – adds further value. The Action Plan should also lay out concrete ideas on how to build further on the 'rules-based ocean governance' and maritime multilateralism that the EU aims to promote.
- The EU should take the initiative to work with the Indian Ocean's littoral states to establish a **track-II platform** comparable to the CSCAP for dialogue on maritime security in the Indian Ocean region between academics and former diplomats and military personnel. Individual EU members states with

a strong interest in maritime affairs – including the Netherlands – should consider taking the lead in getting such an initiative off the ground. Moreover, the main extra-regional maritime powers – in particular the United States, China and Japan – should be encouraged to join this initiative, as well as maritime industry associations and non-governmental organizations. This forum could then undertake the groundwork for preparing frameworks and mechanisms for cooperation that are acceptable to all actors involved in the region. More low-profile technical assistance and the sharing of expertise on less-sensitive issues such as maritime judicial issues, ocean resources, fisheries policies and environmental concerns could also be a good starting point.

- In the longer run, the EU should follow up on this by working with littoral countries to establish a new **forum for maritime security issues** in the Indian Ocean region. This could be structured around an annual gathering of the ministers of foreign affairs of its member states, similar to ARF (Cordner 2011). Here, too, major extra-regional maritime powers – such as the United States, China and Japan – should be encouraged to join. The EU should be represented through the High Representative for Foreign Affairs and aim at cooperation on both traditional and non-traditional security issues. As such, it should coordinate closely with existing multilateral security initiatives such as the UN Ad-Hoc Committee on the Indian Ocean and the Contact Group on Piracy off the Coast of Somalia. It should also coordinate with the IOR-ARC and the IONS, as well as (sub-)regional organizations such as the African Union, the South Asian Association for Regional Cooperation (SAARC), ASEAN, the Gulf Cooperation Council (GCC), and NATO. This type of security cooperation should reduce mistrust and threat perceptions among actors, and strengthen security dialogue and constructive diplomacy.

Abbreviations Used in this Policy Brief

ARF	ASEAN Regional Forum
ASEAN	Association of South-East Asian Nations
AU	African Union
CGPCS	Contact Group on Piracy off the Coast of Somalia
CSCAP	Council for Security Cooperation in the Asia Pacific
EMSS	EU Maritime Security Strategy
EU	European Union
GCC	Gulf Cooperation Council
IONS	Indian Ocean Naval Symposium
IOR-ARC	Indian Ocean Rim Association for Regional Cooperation
IMO	International Maritime Organization
JMSDF	Japan Maritime Self-Defence Force
NATO	North Atlantic Treaty Organization
SAARC	South Asian Association for Regional Cooperation
SHADE	Shared Awareness and Deconfliction
SLOC	Sea line of communication
UN	United Nations
UNCLOS	United Nations Convention on the Law of the Seas
US	United States

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